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November 2, 2018

Samantha Deshommes, Chief, Regulatory Coordination Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Dept. of Homeland Security
20 Massachusetts Avenue NW
Washington, D.C. 20529-2140

RE: Inadmissibility on Public Charge Grounds, DHS Docket No. USCIS-2010-0012 (RIN 1615-AA22)

Ms. Deshommes:

The Association of Regional Center Agencies (ARCA) represents the network of 21 non-profit regional centers that coordinate services for, and advocate on behalf of, California's over 320,000 people with developmental disabilities. On behalf of ARCA, I wish to express our opposition to the regulatory proposal regarding immigrant admissibility and public charge considerations.

The extent to which this proposal will have a chilling effect on access to critical services, particularly those that have life-long positive impacts through early intervention, cannot be overstated. In California, people with developmental disabilities access services that help them to live, work, and play in communities of their choosing. Regional centers are the hub of the system, with their primary (but not exclusive) work being service coordination. Direct services such as transportation, housing, therapies, and day programs are offered by "service providers."

Eligibility for services is determined by a clinical assessment. Funding is via a mix of state and federal money; for (state) fiscal year 2018-19, ~40% of the developmental services budget was federally sourced, predominantly through the Home and Community-Based Services 1915(c) waiver, as well as Targeted Case Management, Title XX Block Grant, and 1915(i) State Plan Amendment reimbursements.

This proposal is likely to reduce access to, and utilization of, developmental disability services regardless of the individual's immigration or citizenship status. While this proposal technically applies to (primarily) non-citizens seeking permanent resident status, it will have a significant adverse impact on individuals and families who are entitled to services without an immigration penalty. As seen following the 1996 welfare reform, utilization of both public assistance¹ and SNAP² decreased due to misinformation in populations that were still eligible.

¹ Fix ME, Passel JS. *Trends in Noncitizens' and Citizens' Use of Public Benefits Following Welfare Reform*. Washington, DC: Urban Institute; March 1999.

² US Department of Agriculture. Who Is Leaving the Food Stamp Program? An Analysis of Caseload Changes From 1994 to 1997. <https://www.fns.usda.gov/snap/who-leaving-food-stamp-program-analysis-caseload-changes-1994-1997>. August 2016. Accessed September 27, 2018.

California strives to ensure people with developmental disabilities can live full, productive, integrated lives, encouraging self-sufficiency and family support as much as possible. Supporting families ensures that parents of individuals with developmental disabilities are not required to become full-time caregivers because of lack of support due to fear of federal immigration consequences. Many families draw on the support and assistance of their wider nuclear family. By creating a barrier to services, there will be an immediate impact on the ability of the larger family to work outside the home – and remain productive, tax-paying members of their communities whose work supports their loved ones.

Lastly, early intervention services make a critical difference in the long-term developmental arc of infants and toddlers. When received in a timely fashion, the long-term support needs of the individual can be reduced – and even eliminated. But the window to access these life-changing and cost-saving services is very narrow. Delays of even as little as a few weeks can have a permanent impact.

We as a society are better when families receive services and supports to help them balance the extra responsibilities that come with having a loved one with a developmental disability.

California's regional center system has continued to work to better serve individuals and their families since its creation under then-Governor Ronald Reagan, over 50 years ago. While working to reduce barriers to service is a priority, we must also not lose sight of the importance of not creating new barriers. For the sake of the individuals with disabilities, their families, and particularly the infants and toddlers whose entire lives can be impacted by early intervention services, we urge the rejection of this proposal.

If you have any questions regarding our position, please do not hesitate to contact Daniel Savino in our office at dsavino@arcanet.org or (916) 446-7961.

Sincerely,

/s/Amy Westling
Executive Director